

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

20-CA-283393

Date Filed

09/23/2021

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Mapbox		b. Tel. No. (202) 250-3633
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 50 Beale Street, Floor 9 San Francisco, CA 94105	e. Employer Representative David Durham, Attorney	g. e-mail ddurham@mwe.com
		h. Number of workers employed 220

i. Type of Establishment (factory, mine, wholesaler, etc.) Computer Applications	j. Identify principal product or service Computer Applications
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The above named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a)(1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See Attachment

## 3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Communications Workers of America AFL-CIO

4a. Address (Street and number, city, state, and ZIP code) 2804 Gateway Oaks Drive, Suite 150 Sacramento, CA 95833	4b. Tel. No.
	4c. Cell No. (617) 620-2831
	4d. Fax No.
	4e. e-mail wmcenany@cwa-union.org

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

Communications Workers of America AFL-CIO

## 6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(signature of representative or person making charge)

DAVID A. ROSENFELD

(Print/type name and title or office, if any)

Weinberg Roger &amp; Rosenfeld

Address 1575 55th Street, Emeryville, CA 94608

Date September 23, 2021

Tel. No.  
(510) 337-1001

Office, if any, Cell No.

Fax No.  
(510) 337-1023e-mail  
nrlr@notices@unioncounsel.net  
drosefeld@unioncounsel.netWILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Attachment to Charge against Employer

Mapbox

Within the last six months the above-named employer has repeatedly engaged in surveillance of union meetings and/or meetings in which employees were engaged in protected concerted activity. The employer has repeatedly interrogated employees about union and/or protected concerted activity. The employer has coerced employees with respect to the exercise of the rights guaranteed by Section 7 of the Act. The employer has disciplined, including terminating employees on account of union and/or protected activity. The employer has threatened employees with respect to the exercise of their rights guaranteed by Section 7.

152454\1206041



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

September 23, 2021

Mapbox  
50 Beale Street  
Floor 9  
San Francisco CA 94105

Re: Mapbox  
Case 20-CA-283393

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner LANA PFEIFER whose telephone number is (628)221-8869. If this Board agent is not available, you may contact Supervisory Field Examiner OLIVIA VARGAS whose telephone number is (628)221-8876.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: David Durham, Attorney  
McDermott Will & Emery LLP  
555 Mission Street  
Suite 2400  
San Francisco CA 94105

## QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 20-CA-283393
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## 1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

## 2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify )

## 3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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## 4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

## 5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

## 6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

## 7A. PRINCIPAL LOCATION:

## 7B. BRANCH LOCATIONS:

## 8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES \_\_\_\_\_)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$ _____		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

## 10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

## 11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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## 12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**MAPBOX**

Charged Party

and

**COMMUNICATIONS WORKERS OF AMERICA  
AFL-CIO, CLC**

Charging Party

**Case 20-CA-283393**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on September 23, 2021, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Mapbox  
50 Beale Street  
Floor 9  
San Francisco CA 94105

David Durham, Attorney  
McDermott Will & Emery LLP  
555 Mission Street  
Suite 2400  
San Francisco CA 94105

September 23, 2021

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
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Mobile App

September 23, 2021

Wesley McEnany, Union Representative  
Communications Workers of America, AFL-CIO  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833

Re: Mapbox  
Case 20-CA-283393

Dear Mr. McEnany:

The charge that you filed in this case on September 23, 2021 has been docketed as case number 20-CA-283393. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Examiner LANA PFEIFER whose telephone number is (628)221-8869. If this Board agent is not available, you may contact Supervisory Field Examiner OLIVIA VARGAS whose telephone number is (628)221-8876.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you



fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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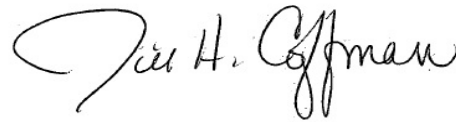
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In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

cc: David A. Rosenfeld, Attorney  
Weinberg Roger & Rosenfeld  
1375 55<sup>th</sup> Street  
Emeryville CA 94608-2609

Copy of charge only sent to:

Domonique Thomas, Assistant to the VP  
CWA District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670

**From:** [Foster, Christopher](#)  
**To:** [Clark, Tracy](#)  
**Subject:** RE: 20-CA-283393 Mapbox  
**Date:** Monday, September 27, 2021 11:16:28 AM

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Ms. Clark,

For this charge (case no. 20-CA-283393), would you please have me designated as the sole rep of Mapbox (including as listed on the NLRB website) and remove David Durham? Also, the company's General Counsel (Laurel Finch) would like to be copied on communications from the Region if possible. Her email address is [laurel.finch@mapbox.com](mailto:laurel.finch@mapbox.com).

Thank you

-Chris

CHRISTOPHER FOSTER  
Partner  
**McDermott Will & Emery LLP** 415 Mission Street, Suite 5600, San Francisco, CA 94105-2616  
**Tel** +1 628 218 3826 **Email** [cfoster@mwe.com](mailto:cfoster@mwe.com)  
[Biography](#) | [Website](#) | [vCard](#) | [Twitter](#) | [LinkedIn](#)  
\* Admitted to practice law in California, Washington, and Idaho

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**From:** Foster, Christopher  
**Sent:** Friday, September 24, 2021 3:41 PM  
**To:** Clark, Tracy <[Tracy.Clark@nlrb.gov](mailto:Tracy.Clark@nlrb.gov)>  
**Subject:** RE: 20-CA-283393 Mapbox

Thank you, Ms. Clark. Greatly appreciate it. Have a nice weekend.

-Chris

CHRISTOPHER FOSTER  
Partner  
**McDermott Will & Emery LLP** 415 Mission Street, Suite 5600, San Francisco, CA 94105-2616  
**Tel** +1 628 218 3826 **Email** [cfoster@mwe.com](mailto:cfoster@mwe.com)  
[Biography](#) | [Website](#) | [vCard](#) | [Twitter](#) | [LinkedIn](#)  
\* Admitted to practice law in California, Washington, and Idaho

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**From:** Clark, Tracy <[Tracy.Clark@nlrb.gov](mailto:Tracy.Clark@nlrb.gov)>  
**Sent:** Friday, September 24, 2021 3:32 PM  
**To:** Foster, Christopher <[Cfoster@mwe.com](mailto:Cfoster@mwe.com)>  
**Subject:** 20-CA-283393 Mapbox

[ External Email ]

Mr. Foster,

Please find a copy of the charge in the above-reference case attached. I have already listed you as a

participant in this matter so no need to file a NOA. You should show up as such on our public website.

---

Tracy Clark  
Field Attorney  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103  
Phone: (628)221-8841

**The NLRB now requires electronic filing of documents**, including affidavits, correspondence, position statements, and documentary or other evidence. This requirement does not apply to ULP charges, or to petitions and showings of interest in representation cases. See GC 20-01.

<https://apps.nlr.gov/link/document.aspx/09031d4582dfa410>

E-filing link: <https://www.nlr.gov/cases-decisions/filing>

Written instructions for the Agency's E-Filing System: <https://apps.nlr.gov/myAccount/assets/E-Filing-System-User-Guide.pdf>

Video demonstration with instructions:

[https://apps.nlr.gov/myAccount/assets/My%20Account%20Portal%20Overview/story\\_html5.html](https://apps.nlr.gov/myAccount/assets/My%20Account%20Portal%20Overview/story_html5.html)

Frequently Asked Questions. <https://apps.nlr.gov/myAccount/#/FileCaseDocument/FAQ>

This electronic message may contain confidential or privileged information. If you received this transmission in error, please reply to the sender to advise of the error and delete this transmission and any attachments.

\*\*\*\*\*

This message is a PRIVATE communication. This message and all attachments are a private communication sent by a law firm and may be confidential or protected by privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the information contained in or attached to this message is strictly prohibited. Please notify the sender of the delivery error by replying to this message, and then delete it from your system. Our [Privacy Policy](#) explains how we may use your personal information or data and any personal information or data provided or made available to us. Thank you.

\*\*\*\*\*

Please visit <http://www.mwe.com/> for more information about our Firm.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Mapbox, Inc.

and

Communications Workers of America, AFL-CIO

CASE 20-CA-283393

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_  
Mapbox, Inc.

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☐ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Tanja L. Thompson  
MAILING ADDRESS: 3725 Champion Hills Drive, Suite 3000, Memphis, TN 38125  
E-MAIL ADDRESS: tthompson@littler.com  
OFFICE TELEPHONE NUMBER: 901.322.1223  
CELL PHONE NUMBER: 901.210.8404 FAX: 901.531.8179  
SIGNATURE: Tanja L. Thompson  
(Please sign in ink.)  
DATE: October 13, 2021

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.